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DEVELOPMENT****Formal Communication**

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TO: WIB Directors

FROM: William R. Miller, Director, WIA Administration

DATE: October 8, 2003

**Workforce Investment Act - Technical Assistance Bulletin
WIA-TAB 2003-004****“Temporary” Employee Eligibility for WIA Services**

The issue covered by the technical assistance bulletin is whether it is allowable to provide services funded by WIA Title I to “temporary” individuals affected by a closure or mass lay-off. The individual is not employed by the firm but by a placement agency.

As a cost-saving measure, some firms in today’s economy use a local placement agency for all or some staffing purposes. These workers are considered “temporary” since they are expected to work only for an indeterminate period of time (i.e., no set ending date.) Such workers are placed at the firm but are employed by the local placement agency. There may also be workers employed by the firm. These workers are considered “permanent” employees. If the firm closes down or experiences a mass lay-off, are the temporary workers eligible for services funded under WIA Title I?

Yes, the temporary workers are eligible to receive services funded under WIA Title I and may be enrolled into WIA. Appropriate Title I WIA funding sources include Older Youth (age 18 to 21), Adult (age 22+), and Dislocated Worker. If enrolled as a dislocated worker, documentation will need to be obtained from the local placement agency indicating the date of lay-off or closure at the firm. The documentation must also indicate that no other work is available in the area and that the temporary worker is unlikely to regain employment at the firm experiencing the mass lay-off/closure. The documentation is kept in the client’s file. The State Rapid Response Coordinator can assist in obtaining the documentation.

Temporary workers placed at a firm to work for a set amount of time are not included in this policy clarification. These workers may also be eligible for services funded by WIA

Title I; however, eligibility for Title I WIA is determined on a case-by-case basis based on, among other factors, the availability of work. The State Rapid Response Coordinator can assist in making the determination.

In all instances, WIA local staff makes the final recommendation/determination for enrollment into WIA, based on local WIB policy, DWD policy, and WIA legislation and regulations.

WIA-TAB No.	Subject Matter
2003-000	Workforce Investment Act Technical Bulletins
2003-001	WIA Citizenship and Registration for Selective Services
2003-002	Intensive and Training Services
2003-003	Service Tiers & Partner Services
2003-004	Temporary Employee Eligibility